

WD letter 25 Oct '46.

Pana. J.L.
Paper No. 452
Disposes Further of
Paper No. 423

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al

- vs -

ARAKI, Sadao; et al

} ORDER:
} FURTHER GRANTING APPLICATION
} OF PROSECUTION FOR EXEMPTION
} FROM RULE 6(b)(1) WITH RES-
} PECT TO CERTAIN DOCUMENTS
} NOT HERETOFORE RULED ON IN
} PAPER NO. 423.

This matter coming on, for further hearing and consideration, before The Honorable Sir William Webb, President of the Tribunal, upon the application of the Prosecution for an order of exemption from the provisions of Rule 6(b)(1) of the Rules of Procedure of the International Military Tribunal for the Far East, with respect to certain Prosecution Section documents enumerated and set forth in said application, and not heretofore ruled upon by the Tribunal, portions of which the Prosecution intend to be adduced in evidence, so as to permit the Prosecution to serve upon the accused or their Counsel, copies of excerpts, only, from said documents, in both the Japanese and the English language, in the place and stead of the entire original documents; and after hearing the arguments of respective Counsel, and the Tribunal being fully advised in the premises, it is

ORDERED: That said application be and is hereby granted, as prayed, as to Prosecution Section documents Nos. 1753, 4122, 2627, 13, 1622, 1355, 1046, 1285, 590, 1210, 823, 1461, 1505, 2550 and 2419; and it is further

ORDERED: That the Prosecution shall also prepare and furnish to Counsel for the accused, copies of additional parts or sections, in both the Japanese and the English language, from

the afore-mentioned documents enumerated as follows:

1. From Prosecution Section document No. 1753 -- the entire document, of which the excerpt is a part.
2. From Prosecution Section document No. 2627 -- from page 26 to the first line on page 30 of the article by Araki, Sadao, on "The Mission of Japan in the Era of Showa."
3. From Prosecution Section document No. 1355 -- all of the remarks of the President of the Institute appearing on pages 3 and 4, of which the excerpt is a part, and also the outline of exercises of 17 Showa on page 7.
4. From Prosecution Section document No. 1046 -- the entire document, of which the excerpt is a part.
5. From Prosecution Section document No. 1285 -- the entire document, of which the excerpt is a part.
6. From Prosecution Section document No. 2419 -- the whole of Shiratori's letters, consisting of approximately 16 pages, of which the excerpt is a part.

And, the Tribunal makes no order in respect to Prosecution Section documents Nos. 2459, 2402 and 1621, as Counsel for the Prosecution and for the Defense have mutually agreed relative thereto.

Dated at Tokyo, Japan, this 2 October 1946.

BY THE TRIBUNAL:

(Signed) W. F. Webb
PRESIDENT